

Seattle Police Email Community Newsletter

January 18, 2013



Dear Community Friends,

Dealing With A Neighborhood Nuisance

Do you have a property in your neighborhood that gives you headaches? You know, that house, apartment building, motel, liquor establishment or store that seems to be the source of a lot of problems, such as drug activity, fight disturbances, prostitution, violent crimes and other criminal activity? In these cases, the property may be considered a nuisance.

A nuisance property is defined by the Revised Code of Washington (RCW – the State's set of civil and criminal laws) as such:

"When land use interferes with the ability of others to use or enjoy their own property, it may meet the legal definition of a nuisance: A nuisance becomes actionable when it obstructs the free use of property, so as to essentially interfere with the comfortable enjoyment of life and property." RCW 7.48.010

In short, when the activity at one property affects neighboring properties, that "problem" property can be deemed a nuisance and action can be taken.

There are several different ways a nuisance property can be addressed.

One is through a civil process. In this, the surrounding neighbors can bring a legal suit against the owner of the property in question if said property owner does not act to stop the activity that is causing the nuisance. In essence neighbors are saying to the property owner, "Unless you move to stop the problem on your property, we will sue you in small claims court." Now that maybe not sound significant, but when a property owner is faced with being sued by 20 neighbors, and every signatory to that suit asks for the maximum \$5000 civil penalty,.... As the property owner, I'd rather fix the problem than fork out \$100K because I didn't act.

Another way a nuisance property can be addressed is by the City. In Seattle, there is a Chronic Nuisance Property ordinance (Seattle Municipal Code (SMC) 10.09).

"The Chief of Police may declare that a property is a chronic nuisance property, as defined in this chapter, when there are specific facts and circumstances documenting (1) the occurrence of three or more nuisance activities on a property within sixty days or seven or more nuisance activities within a twelve month period, or (2) activity on a property as described in SMC 10.09.010."

Nuisance activities include:

"Most serious offenses" (think manslaughter, murder, vehicular homicide, rape), "drug related activity", and any of the following activities, behaviors or criminal conduct: Assault, Fighting, Menacing, Stalking, Harassment, Reckless Endangerment, Promoting, advancing or profiting from prostitution, Prostitution, Permitting Prostitution, Obstructing pedestrian or vehicular traffic, Failure to Disperse, Weapons violations, Drug Traffic Loitering, and Gang related activity.

I give you all this background to make one central point: If there is a nuisance property in your area, there are ways to take care of the problem. You don't have to just accept it or put up with it. It can be fixed. One way is the Civil nuisance process, which neighbors initiate, and one is the Chronic Nuisance Property process, which Community Police Team Officers - with your input and complaints - initiate.

While there is not enough space in this newsletter to go in to all the detailed steps necessary to pursue civil action or a Chronic Nuisance Property declaration, there are a few main things to keep in mind.

1. **Identify the possible nuisance property.** What about the property makes it a nuisance? What is the actual behavior and activity at the property? You need to be able to articulate why you feel the property is a nuisance.

2. **Document the nuisance activity.** Keep a log of the activity you note. Write it down. Note dates and times of the activity and what you did about it, if anything. Did you report the activity to 911? What happened as a result? Did police show up? Did you tell other neighbors? Did you contact the property owner to let him or her know there was a problem?
3. **Report the activity to 911.** It's hard to make the case for a property being a nuisance if activity at that property is never reported.
4. **Communicate with and support each other.** Many times, addressing a nuisance property takes time and effort on the part of many people and agencies. Working and communicating together and supporting each other lets you know that you are not combating the nuisance alone.
5. **Be patient but determined.** Situations that become nuisances often did not occur overnight. Likewise, resolving them won't happen overnight, but they can be resolved. Don't give up.

More often than not, once a problem at a property has been identified, when neighbors take the step of letting the property owner know there's a problem, most property owners will move to correct it. Just let them know. Your message to the property owner is much stronger when it comes from the community vs. just one person (see #4 above). If the property owner doesn't move to correct the nuisance, then there are other tools. Again, we can be of service to you in this; do not hesitate to call upon us.

I'd like to acknowledge City Attorney Liaison, Melissa Chin, for her assistance in preparing this information.

Upcoming Events

City of Seattle 2013 Gun Buyback Operation

The citywide gun buyback initiative will reward voluntary surrender of firearms, while engaging our communities towards a common goal of reducing gun violence. In partnership with the Seattle Police Department, community and faith based organizations, the gun buyback effort will secure centralized locations where individuals can surrender their firearms-no questions asked.

The first Gun Buyback will take place on Saturday, January 26, 2013.

The event will run from 9:00 am until 3:00 pm, or until the gift cards have been exhausted.

The Gun Buyback will be located at 600 7th Ave in the Republic Parking Lot. Signs will be posted on site with specific directions.

For more details and frequently asked questions, please go to:

<http://seattlepolicefoundation.org/seattle-king-county-gun-safety-initiative-faq/>

Save the Date! 2013 Neighbor Appreciation Day is February 9

Celebrate Seattle's 19th annual **Neighbor Appreciation Day** on **February 9, 2013**. Neighbor Appreciation Day is the traditional day to reach out to neighbors, create new friends, and express thanks to those who help make your neighborhood a great place to live. You can visit

<http://www.seattle.gov/neighborhoods/neighborday/> to find resources and ways to help you celebrate, such as:

- **Have a block watch meeting.**
- **Send a *Neighbor Appreciation Day greeting e-card* to your neighbors.**
- **Share a story or two about your favorite neighbors.**

Join Seattle Police Department, Seattle Department of Neighborhoods, and the hundreds of community members across our city in celebration of what makes Seattle great – our neighbors!

Special thanks to the Department of Neighborhoods for supplying this information.

Thank you for all you do for your neighborhoods. Until next time, Take Care and Stay Safe!

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